

04-22-a7

103A58

Please type a plus sign (+) inside this box →



PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	09/404,706	
		Filing Date	September 23, 1999	
		First Named Inventor	WILLIAMS, LEWIS	
		Group Art Unit	1631	
		Examiner Name	ZHOU, SHUBO	
Total Number of Pages in This Submission		23	Attorney Docket Number	2300-1492
<b>ENCLOSURES (check all that apply)</b>				
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)  <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Petition to Withdraw Holding of Abandonment 2. Copy of Notice of Abandonment 3. Exhibit A-Copy of Response dated 10-16-03 4. Exhibit B-Copy of Postcard dated 10-16-03 5. Exhibit C-Copy of Express Mail Receipt 6. Postcard		
Remarks				
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>				
Signing Attorney/Agent (Reg. No.)	JAMES S. KEDDIE, PH.D., 48,920 BOZICEVIC, FIELD & FRANCIS, LLP			
Signature				
Date	April 20, 2004			
<b>EXPRESS MAIL LABEL NO. EV405281343US</b>				

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED  
MAY 03 2004  
TECH CENTER 1600/2900

Exhibit B



COPY

Atty/Sec: JSK/SMA

Atty Docket No. 2300-1492

Date Mailed: October 16, 2003

Application No.: 09/404,706

Filing Date: September 23, 1999

Inventor(s): WILLIAMS, LEWIS T.

Title: "HUMAN GENES AND GENE EXPRESSION  
PRODUCTS"

Enclosure(s):

❖ Response (15 pages)

EXPRESS MAIL LABEL NO.EL984075107US

Acknowledge Receipt of enclosures  
By imprinting PTO Date Stamp and  
Returning to addressee



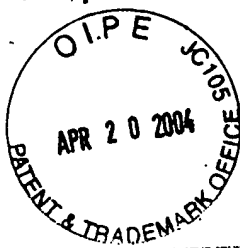


EXHIBIT C

Customer Copy  
Label 11-F June 2002

EL 984075107 US



Post Office To Address e

## ORIGIN (POSTAL USE ONLY)

PO ZIP Code: 94025	Day of Delivery <input type="checkbox"/> Next <input checked="" type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>
Date In: 11/16/03 Mo. Day Year	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$ 17.85
Time In: 4:40 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee
Weight: 1 lbs. 0 oz.	Int'l Alpha Country Code	COD Fee Insurance Fee
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials: [Signature]	Total Postage & Fees \$ 17.85

## DELIVERY (POSTAL USE ONLY)

Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day		
Delivery Attempt	Time <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Employee Signature
Mo. Day		
Delivery Date	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day		
<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only) Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.		
NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday Customer Signature		

## CUSTOMER USE ONLY

## METHOD OF PAYMENT:

Express Mail Corporate Acct. No.

8940047

Federal Agency Acct. No. or  
Postal Service Acct. No.

FROM: (PLEASE PRINT)

PHONE

550,327 3400

SUZICEVIC FIELD & FRANCIS LLP  
200 BIDDLEFIELD RD STE 200  
MENLO PARK CA 94025-4003

TO: (PLEASE PRINT)

PHONE

MAIL STOP  
COMMISSIONER FOR PATENTS  
PO BOX 1450  
ALEXANDRIA VA 22313-1450PRESS HARD.  
You are making 3 copies.

FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com



DATE: Oct b r 16, 2003

EL984075107US



THE EXPRESS MAIL NUMBER OF THE DAY IS: EL984075107US

The person taking the Express Mail to the Post Office is: Alicia Silvestri

**EXPRESS MAIL CERTIFICATION**

Date of Deposit: 10/16/2003 I hereby certify that the below-listed papers or fees were inserted into a package addressed to: Commissioner for Patents, PO BOX 1450, Alexandria, Virginia 22313-1450 and was deposited by me with the United States Postal Service "Express Mail Post Office Addressee" service under 37 C.F.R. § 1.10 on the date indicated above.

Signature

*A Silvestri*

Date

10/16/03

Atty. Docket No.	Serial Number	Description	Atty.	Fee
✓ 2300-1624	09/803,719	Response to Final OA	JSK	
✓ 2300-1492	09/404,706	Response to Office Action	JSK	
✓ BERK-012CIP	10/286,606	Transmittal, Restriction Election	PAB	
✓ LIFE-090CON3	10/602,365	Transmittal, Preliminary Amendment	CML	
✓ CNVG-009	10/187,655	Transmittal, IDS, SB08A, Copies of (2) Cited References	CML	
✓ CNVG-007CON2	10/613,593	Transmittal, Copy of Notice to File Corrected Papers, (20) Sheets of Figures	CML	
✓ LIFE-090CON4	10/613,117	Transmittal, Fee Transmittal <i>in duplicate</i> , Supplemental ADS, Marked-Up OFR, Preliminary Amendment	CML	\$290
✓ BEAR-005CON	10/132,920	PTOL-85B <i>in duplicate</i>	KYB	\$965